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REMARKS

This is a full and timely response to the non-final Official Action mailed May 20, 2005. Reconsideration of the application in light of the following remarks is respectfully requested.

No changes are made to the original specification and claims by the present paper. Thus, claims 1-33 are currently pending for further action.

Allowable Subject Matter:

In the recent Office Action, the Examiner indicated that claims 2-5, 11-13, 17-19, 24, 25 and 27-30 contain allowable subject matter and would be allowable if rewritten as independent claims. Applicant wishes to thank the Examiner for this identification of allowable subject matter. Applicant agrees with the Examiner's conclusions regarding the patentability of these claims without necessarily agreeing or acquiescing in the Examiner's reasoning.

Prior Art:

With regard to the prior art, claims 1, 6-8, 16, 26 and 31-33 were rejected under 35 U.S.C. § 103(a) over the combined teachings of U.S. Patent No. 5,940,652 to Hirakawa ("Hirakawa") and U.S. Patent No. 6,594,028 to Hamamoto et al. ("Hamamoto"). For at least the following reasons, this rejection is respectfully traversed.

Claim 1 recites:

A system for tracking time and date with a printer and managing that printer accordingly, the system comprising:
a printer having a clock circuit; and
one or more printer clients, each having a clock circuit;

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wherein:
a printer driver of said printer client appends time/date data from said clock circuit of that printer client to a print job being transmitted to said printer; and
said printer extracts said time/date data from said print job transmission and uses said time/date data to set or adjust said clock circuit of said printer.

Independent claim 26 similarly recites:

A system for tracking time and date with a printer and managing that printer accordingly, the system comprising:
a printer having a clock circuit that tracks and outputs date and time information; and
one or more printer clients, each having a clock circuit that tracks and outputs date and time information;
wherein:
a printer driver of said printer client appends time/date data from said clock circuit of that printer client to a print job being transmitted to said printer; and
said printer extracts said time/date data from said print job transmission and uses said time/date data to set or adjust said clock circuit of said printer.

Hirakawa is recited as teaching the claimed "printer having a clock circuit." (Action of 5/20/05, p. 2). However, Hirakawa does not teach or suggest a *printer* having a clock circuit as claimed. Rather, Hirakawa teaches a photocopier that includes a clock (CL). (Hirakawa, col. 3, lines 11-12). This is important because a photocopier does not receive print jobs from a printer driver to which time/date data might be appended *as claimed*. Consequently, Hirakawa not only fails to teach the subject matter for which it is cited, the device taught by Hirakawa is incompatible with the claimed system because no print jobs are used by Hirakawa to which time/date data may be appended.

Beyond the failings of Hirakawa, the Office Action cites Hamamoto as teaching the claimed printer clients having a printer driver that appends time/date data to print jobs being submitted to the printer. Hamamoto contains no such teachings.

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In support of the given reading of Hamamoto, the Office Action cites col. 2, lines 9-17 and col. 83, lines 32-40. (Action of 5/20/05, p. 3). Both sections are reproduced below in their respective entireties.

[I]t is also possible for the print driver to obtain current configuration information of the computing equipment within which the print driver is executing, such as time, location and date. In combination with printer status, the print driver of the invention may modify operational parameters of the printer, or its own operation, based on printer status alone, or based on printer status and current configuration of the computing equipment.

(Hamamoto, col. 2, lines 9-17).

In step S6801, print driver 84 obtains the current environment of the computing equipment. Current environment includes, for example, time, date and location information, and other like environmental information available from the computer and its operating system 81. As shown below, such environmental information may be used by driver 84 to make even further refinements to the modifications made based on printer status. For example, certain operations may be performed more or less frequently, or not at all, at certain times of day.

(Hamamoto, col. 83, lines 32-40).

In neither cited portion of Hamamoto is there any teaching that the printer driver appends time/date data to a print job as claimed. These portions of Hamamoto teach that the printer driver is aware of time/date data, but Hamamoto never teaches or suggests that the printer driver appends such data to a print job as claimed. Rather, the printer driver uses the time/date data for other purposes, for example, to set a printer speed.

Thus, in step S7701, print driver 84 gets current printer status temperature TenvL, and in step 7702 print driver 84 obtains current configuration and time of day from computing equipment 1. In step S7703, print driver 84 determines, based on time of day, whether it is nighttime, for example, by comparing time of day to determine whether it lies in the range of 5:00 a.m. to 10:00 p.m. If time of day is outside the normal daytime range, then flow advances to step S7705, in which a slow speed for sheet feed is always selected.

On the other hand, if in step S7703 the print driver 84 determines that it is not nighttime, then flow advances to step S7706 in which print driver 84 determines whether printer status temperature TenvL is high enough so as to select a high speed of sheet feed. If printer status temperature is large enough, then a high speed is selected (step S7708), whereas if temperature is not high enough, then a low speed is selected (step S7707).

(Hamamoto, col. 87, line 65 to col. 88, line 23).

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Thus, Hamamoto does not teach or suggest that "a printer driver of said printer client appends time/date data from said clock circuit of that printer client to a print job being transmitted to said printer" as claimed. The Office Action has not indicated any portion of Hamamoto that teaches such subject matter. And, even if Hamamoto contained such a teaching, the copier taught by Hirakawa does not receive print jobs and thus could not be combined with the printer driver taught by Hamamoto.

Consequently, the combination of Hirakawa and Hamamoto fails to teach or suggest the features of claims 1 and 26. The combination fails to teach or suggest "a printer having a clock circuit;" "a printer driver of said printer client [that] appends time/date data from said clock circuit of that printer client to a print job being transmitted to said printer;" and a "printer [that] extracts said time/date data from said print job transmission and uses said time/date data to set or adjust said clock circuit of said printer."

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). Therefore, because the combination of Hirakawa and Hamamoto fails to teach or suggest the features of claims 1 and 26, the rejection of claims 1, 6-8, 26 and 31-33 should be reconsidered and withdrawn.

Independent claim 16 recites:

A system of tracking time and date with a printer and managing that printer accordingly, the system comprising:
means for appending time/date data to a print job sent to said printer from a printer client having a clock circuit that outputs time/date data; and
means for extracting said time/date data from said print job and using said time/date data to set or adjust a clock circuit of said printer.

As demonstrated above, the combination of Hirakawa and Hamamoto fails to teach or suggest means for appending time/date data to a print job sent to a printer. Thus, the

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combination also fails to teach or suggest means for extracting that time/data data from the print job and using that data to set or adjust a clock circuit of the printer.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). Therefore, because the combination of Hirakawa and Hamamoto fails to teach or suggest the features of claim 16, the rejection of claim 16 and should be reconsidered and withdrawn.

Claims 9, 14, 15 and 20-22 were rejected as anticipated under 35 U.S.C. § 102(b) by Hamamoto. For at least the following reasons, this rejection is respectfully traversed.

Independent claim 9 recites: "A method of tracking time and date with a printer and managing that printer accordingly, the method comprising appending time/date data to a print job sent to said printer from a printer client having a clock circuit." As demonstrated above, Hamamoto fails to teach or suggest appending time/date data to a print job sent to a printer.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). Therefore, because the combination of Hirakawa and Hamamoto fails to teach or suggest the features of claim 9, this rejection should be reconsidered and withdrawn. The rejection of claims 20 and 21 should be reconsidered and withdrawn for at least the same reasons given above with respect to independent claim 16.

Independent claim 22 recites:

Computer-readable instructions recorded in a medium for storing computer-readable instructions, said instructions being used by a system of tracking time and date with a printer and managing that printer accordingly, wherein said a first set of

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said instructions causes a processing device in a printer client device to append time/date data to a print job sent to said printer, where said printer client device has a clock circuit that outputs time/date data.

As demonstrated above, the combination of Hirakawa and Hamamoto fails to teach or suggest instructions that cause a processing device in a printer client device to append time/date data to a print job

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). Therefore, because the combination of Hirakawa and Hamamoto fail to teach or suggest the features of claim 22, the rejection of claim 22 should be reconsidered and withdrawn.

Claims 10 and 23 were rejected as being unpatentable under 35 U.S.C. § 103(a) in view of the combined teachings of Hamamoto and Hirakawa. As demonstrated above, Hamamoto and Hirakawa are incompatible and cannot be combined. The copier of Hamamoto does not receive or use a print job such as that taught by Hirakawa.

Moreover, the combination of Hamamoto and Hirakawa fails to teach or suggest the features recited in independent claims 9 and 22, from which claims 10 and 23 respectively depend. The cited combination further fails to teach or suggest the subject matter of claims 10 and 23. For at least these reasons, the rejection of claims 10 and 23 should be reconsidered and withdrawn.

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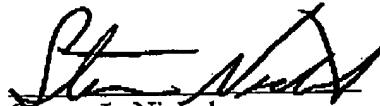
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Conclusion:

For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

DATE: 15 August 2005

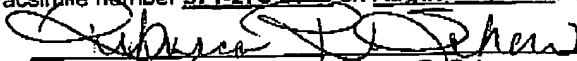

Steven L. Nichols
Registration No. 40,326

Steven L. Nichols, Esq.
Managing Partner, Utah Office
Rader Fishman & Grauer PLLC
River Park Corporate Center One
10653 S. River Front Parkway, Suite 150
South Jordan, Utah 84095

(801) 572-8066
(801) 572-7666 (fax)

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Rebecca R. Schow